

California Regional Water Quality Control Board  
Santa Ana Region

Minutes of September 17, 2004  
City Council Chambers  
City of Loma Linda  
25541 Barton Road  
Loma Linda

1. Chair Beswick called the meeting to order at 9:10 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair  
Jose Solorio  
Seymour Van Gundy  
John Withers  
Joan Dotson  
William Ruh

Fred Ameri, Vice-Chair

Staff Members Present

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
Joanne E. Schneider, Environmental Program Manager  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Mark E. Smythe, Chief of Storm Water (Coastal Waters)  
Jorge León, Office of Chief Counsel  
Gary Stewart, Chief of Surveillance and Enforcement  
Wanda K. Marquis-Smith, Chief of Basin Planning (Coastal Waters)  
Mark G. Adelson, Chief of Regional Planning Programs  
Jun Martirez, Chief of Regulations  
Milasol Gaslan, Chief of Storm Water (Inland Waters)  
Steve Mayville, Chief of Dairy Unit  
Cindy Li, Engineering Geologist  
Kamron Saremi, Water Resources Control Engineer  
Debi Ney, Associate Governmental Program Analyst  
Susan Beeson, Sanitary Engineering Associate  
Keith Elliott, Water Resources Control Engineer  
Kevin Heinemann, Staff Information Systems Analyst  
Catherine A. Ehrenfeld, Staff Services Analyst

U. S. EPA

Robyn Stuber, Environmental Scientist, US EPA Permit Issuance Division

State Board Representative

Pete Silva

#### Public Attendance

Ronald Young, Elsinore Valley Municipal Water District  
Arthur L. Rivera, San Bernardino County Solid Waste Management Division  
Bob Ghirelli, Orange County Sanitation District  
Nick Dorado, Dorado and Dorado  
Michael Hummel, Representing the Johnson Family  
Laura Larsen, RBF Consulting  
Ken Hylin, San Bernardino County Solid Waste Management Division  
Julie Gilbert, San Bernardino County Solid Waste Management Division  
Susan Trager, City of Rialto  
Cindy and Don Kendrick, Lake Elsinore  
Phil Miller, Elsinore Valley Municipal Water District  
Pat Boldt, San Jacinto Regional Water Council  
Larshreong Wu, University of California, Riverside  
Jeff Beehler, Santa Ana Watershed Project Authority  
Greg Woodside, Orange County Water District  
Bob Simpson, Lockheed Martin  
Mark Norton, Santa Ana Watershed Project Authority  
Jim Colston, Orange County Sanitation District  
Alex Gann, Riverside County  
Jack Carmody, Consultant  
David Morycz, Elsinore Valley Municipal Water District  
Jayne Joy, Eastern Municipal Water District  
Jason Uhley, Riverside County Flood Control and Water Conservation District  
Steve Stump, Riverside County Flood Control and Water Conservation District  
Bruce Scott, Agriculture  
Nanette Scott, Agriculture  
Michele Colbert, City of Corona  
Yolanda Macalalad, City of Corona  
Tom Rheiner, Riverside County Flood Control  
Bob Thompson, Senator Nell Soto's Office  
Tim Piasky, Construction Industry Coalition for Water Quality  
Bob Owen, City of Rialto  
Marc Luesebrink, Manatt, Phelps & Phillips  
Farida L. Naceen, City of Murrieta

#### 2. Public Forum

There were no speakers.

#### 3. Approval of Minutes

Action: It was moved by Member Withers, seconded by Member Ruh and unanimously approved that the Minutes of August 13, 2004 be approved as presented.

#### 4. Consent Calendar

It was noted that Item No. 5 had errata.

- \*5. Waste Discharge Requirements, March Air Reserve Base, (NPDES NO. CA0111007) — Waste Discharge Requirements for United States Air Force, March Air Reserve Base, Storm Water Runoff, Riverside County. (Order No. R8-2004-0033 - Postponed from August 13, 2004 Board Meeting)

- \*6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement — Don & Lucinda Kendrick, 19671 Grand Ave, Lake Elsinore, Riverside County, APN 370-2200-030-9
- \*7. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement — Cynthia & David Roy, 18960 Mariposa Ave, Riverside, Riverside County, APN 266-110-016
- \*8. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement — Duane Burk, 31225 Linwood Terrace, Yucaipa, San Bernardino County, APN 300-551-09
- \*9. Appeal to the Regional Board for an Exemption from the Minimum Lot Size Requirement for the use of an alternative disposal system — Kurt and Mary Johnson, 13537 Mesa Verde Drive, Yucaipa, Riverside County, APN 322-831-25

Action: It was moved by Member Withers, seconded by Member Ruh and unanimously approved that the Board adopt Order No. R8-2004-0033, with errata, and approve the exemptions from minimum lot size requirements requested by Don & Lucinda Kendrick, Cynthia & David Roy, Duane Burk and Kurt & Mary Johnson.

It was noted that items 10a and 10b were added to the agenda by Addendum; items 14 and 15 had errata.

- 10. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement Tom Apostle, 26345 Crestview Drive, Idyllwild, Riverside County, APN 565-191-011

Jun Martirez, Chief of the Regulations Unit, presented an overview of the basin plan minimum lot size requirements for use of septic tank sub-surface disposal systems, followed by an overview of Mr. Apostle's request for an exemption. This item was postponed in order to receive further information and verification of current disposal systems on-site.

- 10a. The Irvine Company, Waste Discharge Requirements – for discharges of dredge or fill associated with excavation in waters of the State, as part of relocation efforts for the western spadefoot toad in the Orange County Natural Communities Conservation Planning area. The site has been found to be outside federal jurisdiction by the US Army Corps of Engineers. Order No. R8-2004-0071

Executive Officer Thibeault advised the Board that this item was inadvertently not included on the agenda as part of the consent calendar and suggested that the Board consider it without a staff presentation, unless a presentation was desired.

Action: It was moved by Member Withers, seconded by Member Ruh and unanimously approved that the Board adopt Order No. R8-2004-0071.

- 10b. Regional Watershed Management Initiative (WMI) Water Quality Priorities for Grant Projects  
Staff presented a list of ranked Regional Watershed Management Initiative (WMI) Water Quality Priorities for Grant Projects, for discussion and comments. These priorities are to be used in conjunction with project types already listed in the Region's WMI Chapter (available on the

Internet). Grant proposals that match WMI Chapter-identified project types with approved regional priorities will be more successful in obtaining SWRCB-administered grants.

Mark Adelson, Chief of Regional Planning Programs, reviewed the proposed regional water quality priorities to be included in the board's Watershed Management Initiative. Mr. Adelson discussed how these priorities should be used by grant applicants to craft competitive grant project proposals, and how the priorities will be used by reviewers to screen and rank grant proposals.

Member Solorio requested that a list of grants that have been awarded be provided to the Board.

Speakers on the item:

Jeff Beehler, SAWPA

Action: No action was required; this was an information item.

11. Joint Public Hearing with U.S. Environmental Protection Agency – Renewal of NPDES Permit/Waste Discharge Requirements, Time Schedule Order, Orange County Sanitation District, Reclamation Plant No. 1 and Treatment Plant No. 2 — Order No. R8-2004-0062 and TSO No. R8-2004-0067

Information concerning this item is contained in a verbatim transcript of the proceedings.

Robyn Stuber, Environmental Scientist with the USEPA, acted as USEPA's hearing officer and opened the Joint Public Hearing with a brief statement. Gary Stewart, Chief of Surveillance and Enforcement, presented an overview of the proposed orders, which had been presented at a Regional Board workshop on August 13, 2004. Mr. Stewart noted that the proposed permit is similar to the one that it is replacing, with one significant difference. That difference is that the new permit will require the Orange County Sanitation District (OCSD) to achieve compliance with secondary treatment standards, since OCSD chose not to seek continuance of the 301 (h) "waiver". OCSD operates two wastewater treatment plants, Fountain Valley and Huntington Beach. Mr. Stewart further noted that OCSD cannot comply immediately with secondary treatment standards and that major improvements to existing facilities and also construction of many new facilities are necessary before compliance can be achieved. A construction time schedule prepared by OCSD indicates that completion of the projects necessary for compliance with the secondary treatment standards can be achieved by the end of 2012, with interim compliance dates and interim effluent limitations. Due to concerns regarding the length of this schedule OCSD convened a Blue Ribbon Panel of construction and engineering design experts to review the schedule. The Panel found that the schedule is extremely aggressive for a project of this magnitude. Mr. Stewart further stated that comments have been received from three agencies/persons and that a response to comments had been prepared and mailed on September 13, 2004. Staff recommends that the Board adopt Order No. R8-2004-0062 and Time Schedule Order No. R8-2004-0067.

Speakers on the item were:

Bob Ghirelli with Orange County Sanitation District.

Action: Member Withers moved to adopt Order No. R8-2004-0062, Member Ruh seconded. Member Solorio abstained. The motion to adopt the order was approved.

Member Withers moved to adopt Time Schedule Order No. R8-2004-0067, Member Dotson seconded. Member Solorio abstained. The motion to adopt the order was approved.

Robyn Stuber closed the public hearing.

12. Consent Decree Delegation Resolution, Orange County Sanitation District — Resolution No. R8-2004-0068

Jorge León, the Board's legal counsel explained Closed Session guidelines and the Board adjourned to Closed Session meeting at 10:05 a.m. to discuss the Consent Decree. Regular session reconvened at 10:20 a.m. Member Solorio did not participate in the Closed Session.

Action: It was moved by Member Ruh, seconded by Member Dotson and approved that the Board adopt Resolution No. R8-2004-0068. Member Solorio abstained.

13. Basin Plan Amendment Workshop — Incorporation of Total Maximum Daily Loads (TMDLs) for Nutrients for Lake Elsinore and Canyon

Information concerning this item is contained in a verbatim transcript of the proceedings.

Cindy Li, Engineering Geologist, presented the second public workshop for the proposed Basin Plan Amendment incorporating TMDLs for Nutrients for Lake Elsinore and Canyon Lake. Ms. Li reviewed the proposed TMDLs, principal comments and responses, cost information associated with the implementation of the nutrient TMDLs for Lake Elsinore and Canyon Lake, and the proposed changes to the Basin Plan Amendment.

Speakers on the item were:

Jayne Joy, Eastern Municipal Water District  
Jason Uhley, Riverside County Flood Control  
Ronald Young, General Manager, Elsinore Valley Municipal Water District  
Bruce Scott

Action: No action was required; this was an information item.  
Member Withers suggested a field trip to see Lake Elsinore firsthand.

14. Public Hearing, Riverside County Storm Water Permittees' Model Water Quality Management Plan (WQMP)

Information on this item is contained in a verbatim transcript of the proceedings.

Keith Elliott, Water Resources Control Engineer, presented this item. The presentation outlined the Model Water Quality Management Plan, its objectives, pollutants and hydrologic conditions of concern and the time line involved in the process of revising the model. The errata changes to the draft were reviewed. Staff recommended approval of the September 1, 2004 draft of the Riverside County Water Quality Management Plan, as amended by the errata.

Speakers on the item were:

Tim Piasky, Construction Industry Coalition for Water Quality

Action: It was moved by Member Withers, seconded by Member Dotson and unanimously approved that the Board approve the revised Model WQMP with errata.

15. Amendment of Cleanup and Abatement Order No. R8-2003-0013, San Bernardino County, Solid Waste Management — Order No. R8-2004-0072

Information concerning this item is contained in a verbatim transcript of the proceedings.

Bob Holub, Supervising Water Resources Control Engineer, presented an overview of Tentative Order No. R8-2004-0072, which would amend Cleanup and Abatement Order No. R8-2003-0013 by requiring the County of San Bernardino to provide replacement water for the City of Rialto. Mr. Holub also reviewed proposed revisions to tentative Order No. R8-2004-0072, based on recent discussions with the City and the County. Mr. Holub also noted that today was the beginning of a 30-day period for receiving public comments on the County's Draft Interim Remedial Investigation/Feasibility Study and Draft Interim Remedial Action Plan.

Speakers on the item were:

Bob Owen, City Attorney for the City of Rialto  
Cris Carrington, Attorney for the City of Rialto  
Steven Elie, Attorney for West Valley Water District & Fontana Water Company  
Joel Moskowitz, County of San Bernardino  
Pat Mead, County of San Bernardino  
Gary Lass, County of San Bernardino

Action: It was moved by Member Ruh, seconded by Member Dotson and unanimously approved that the Board adopt Order No. R8-2004-0072 with errata and further changes proposed by staff.

16. Status Report on Rialto-Colton-Fontana Perchlorate Investigation

This was a written report.

17. Executive Officer Report

There was no report.

18. Adjournment

The Board was adjourned to the regular meeting of November 5, 2004 at 9:00 a.m., at Eastern Municipal Water District, 2270 Trumble Road, Perris.

Respectfully submitted:

GERARD J. THIBEAULT  
Executive Officer